

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of

ETTER

Serial No.: 09/469,733

Filed: December 21, 1999

Atty. File No.: 42830-00060

For: "PARTICULATE INSULIN-  
CONTAINING PRODUCTS AND  
METHOD OF MANUFACTURE"

Assistant Commissioner for Patents  
ATTN: BOX MISSING PARTS  
Washington, D.C. 20231



) Group Art Unit: 1614

) Examiner:

) SUBMISSION OF MISSING PARTS

<p style="text-align: center;">CERTIFICATE OF MAILING</p> <p>I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231 ON <u>March 17, 2000</u>.</p> <p style="text-align: center;">HOLME ROBERTS &amp; OWEN LLP</p> <p>BY: <u>Kay Waggoner</u></p>
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Dear Sir:

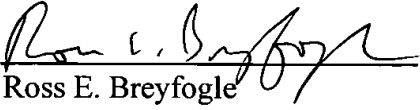
This communication is responsive to a Notice to File Missing Parts of Application, Filing Date Granted, having a mailing date of February 10, 2000. The Notice to File Missing Parts indicated that the statutory basic filing fee, additional claim fees and the oath or declaration are missing in the application.

Enclosed is a Declaration signed and dated by the sole named inventor. Also enclosed is a check in the amount of \$988 to cover the statutory basic filing fee, additional claim fees and surcharge under 37 C.F.R. § 1.16(e), based on small entity status, a Small Entity Statement and a Power of Attorney signed on behalf of the assignee, RxKinetix, Inc. Also enclosed, under separate cover, is an Assignment from the inventor to RxKinetix, Inc.

No additional fees are believed to be due with this communication. If any additional fees are due, please debit such additional fees to Deposit Account 08-2665.

Respectfully submitted,

HOLME ROBERTS & OWEN LLP

By:   
Ross E. Breyfogle  
Registration No. 36,759  
1700 Lincoln Street, Suite 4100  
Denver, Colorado 80203-4541  
(303) 861-7000

Date: March 17, 2000



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NO./TITLE

09/469,733

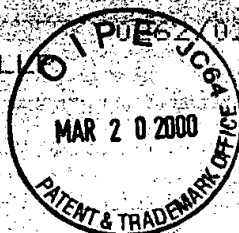
12/21/99

ETTER

J

42830-00060

HOLME ROBERTS & OWEN LLP  
SUITE 4100  
1700 LINCOLN STREET  
DENVER CO 80203



**BEST AVAILABLE COPY**

1614

DATE MAILED:

02/10/00

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 1910

1. The statutory basic filing fee is:

☒ missing

☐ insufficient

Applicant must submit \$ 760 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

2. The following additional claims fees are due:

\$ 1008 for 56 total claims over 20.

\$ 78 for 1 independent claims over 3.

\$          for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

3. The oath or declaration:

☒ is missing or unsigned.

☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

7. Your filing receipt was mailed in error because your check was returned without payment.

8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application; the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

03/21/2000 KZEMIE 00000044 09469733

01-FC:201  
02-FT:205

300.00 OP  
65.00 DD

Customer Service Center